A.7 69-95

G. R. S. IX-5]

*Previous references.*

L.R. 494-95

1895-96

191 .

(Land Rev.)

File No. 34.

Serial Nos. 1-12.

*Later references.*

# GENERAL AND REVENUE SECRETARIAT.

---

*Serial Nos.* 1—12

**Part B for**

---

SUBJECT.

Application of certain parts of Rule XVII of Land Revenue Rules to Mohatta's paying buildings. (Transfer of Leasehold Property)

---

AS

Countermanded.
Granted
DH

W D 88—GPB—50,000—24-7-16

## *Proceedings of the Government of His Highness the Maharaja of Mysore, (Revenue),—dated 23rd May 1892.*

READ :—

The following Minute by the Honorable P. Gentaal Rao, C. I. E., Councillor to His Highness the Maharaja, dated 27th April 1892 :—

Owing to the alteration of * khistbandi of Land Revenue in the Province, recently sanctioned by Government at the request of the Representative Assembly, in consequence of which nearly half the Revenue of each official year is made payable in the first two months of the following official year, it has become necessary to consider whether it is not desirable to alter the year which is now reckoned from 1st April to 31st March inclusive, and make it run from 1st July to 30th June inclusive, so that all the collections of the year may come to account within the year to which the Revenue relates.

*MAIDAN TALUKS.

| | Old Scale. | New Scale. |
|---|---|---|
| December... | 0 2 0 | ... |
| January ... | 0 6 0 | ... |
| February ... | 0 6 0 | 0 4 0 |
| March ... | 0 2 0 | 0 4 0 |
| April ... | ... | 0 4 0 |
| May ... | ... | 0 4 0 |

MALNAD TALUKS.

| | | |
|---|---|---|
| December... | 0 2 0 | ... |
| January ... | 0 6 0 | 0 4 0 |
| February ... | 0 6 0 | 0 4 0 |
| March ... | 0 2 0 | 0 4 0 |
| April ... | ... | 0 4 0 |

2. On a careful consideration of all the circumstances, *pro* and *con*, I am of opinion that it is more desirable to alter the year and the reasons which have induced me to arrive at that conclusion are as follows :—

3. Naturally, no money not payable by the raiyat within the year should be shown in the Patta issued to him as the demand for the year and to arrive at a correct demand payable within the year, the assessment payable by the raiyat in the next year for lands held by him during the year in which the Patta has been granted will have to be deducted, and the sum payable on account of the previous year's demand added. This would give the exact amount payable by him during the year in which the Patta is granted, but if we do this, it will not be possible to apply the khistbandi rates to every raiyat on one and the same plan and the khistbandi of each raiyat will have to be calculated separately. For instance, if a raiyat extends his holding in any year from 50 to 100 acres, assessed, say at Rs. 100 and Rs. 300 respectively, the assessment payable by him in a Maidan Taluk in the year in which the holding has been extended will be half of Rs. 100 and half of Rs. 300, total Rs. 200, payable according to the following instalments :—

| | | |
|---|---|---|
| April | ... | Rs. 25 or 2 annas in the rupee. |
| May | ... | „ 25 or do do |
| February | ... | „ 75 or 6 annas in the rupee. |
| March | ... | „ 75 or do do |
| | Total..... | 200 |

The above rates do not correspond with the general rates of the khistbandi sanctioned, and it will not be possible to ascertain at a glance whether the amount payable at each instalment has been correctly calculated or not. Likewise, if a raiyat curtails his holding in any year, say from 100 to 25 acres assessed at 1 rupee per acre, the Patta will have to be issued for Rs. 62½—a sum much larger than the whole assessment of the holding, which will be an anomaly.

4. If the above process of determining the demand of each year be not adopted, and the Patta granted is only made to embrace the assessment of the land occupied during the year, the balance due on account of the previous year being regarded as an arrear, the arrears brought forward in the demand, collection and balance statement will have to be divided into (1) arrears on account of the year immediately preceding, and (2) arrears on account of other previous years, in order that a correct idea may be had as to how much of the arrears has become due and how much has not. This would increase clerical work considerably, not to speak of the impropriety of calling a sum not due an arrear.

5. The cultivation and the standing crops of lands in each year are not always completed and harvested within the end of March. The consequence is that lands cultivated in one year and harvested in the following year, are brought to the latter year's account, the Jamabandi of which takes place in the usual course after the crops have been gathered. This is calculated to lead to frauds, and to the omission of cultivated lands in the accounts of both the years. It is highly desirable that the year should embrace all the seasons of cultivation. As a rule, the cultivation and harvest of any one year are completed by the end of June.

6. It has not been found possible to complete the Jamabandi of each year within the end of March and Jamabandi is therefore often continued into the following year causing delay in the closing of accounts and the submission of annual reports. There will be no such inconvenience if the year closes on 30th June.

7. The revenues of the year are generally reported upon in this Province during Dasara or September. It will therefore be more useful to review the transactions of a year closing on 1st July than those of a year closing 3 months earlier.

8. A Revenue year ending 30th June which is the end of agricultural seasons in the Province will be more intelligible to the raiyats, than one ending in the middle of the seasons, *i. e.*, 31st March.

9. For the foregoing reasons it seems to me to be highly desirable that the year, so far as Land Revenue collections are concerned, should be altered, and yet the question remains whether the, Financial year should also be altered.

10. There is no absolute necessity for altering the Financial year since they concern only actual collections brought into the Treasury. In Madras the Revenue year ends on 30th June, while the financial year ends on 31st March. But it will be a great convenience if the Revenue and Financial years are one and the same. Very often the expenditure has to be compared with the collections of a whole year and it will be a great advantage if the expenditure and the collections are closed on one and the same date. The financial accounts will serve as a check on the revenue accounts and facilitate examination of accounts. Even in Madras, the existence of two separate years has been found inconvenient, and attempts have been made to reduce them into one year.

11. The abolition of the Financial year can cause no inconvenience whatever, as the difference between the Revenue and Financial years is only 3 months. It will always be possible to give the actuals of any 12 months and thus meet any requisition from the Government of India for figures for their official year ending 31st March.

12. Under these circumstances, I consider that from 1st July 1892, the Official and Revenue years may be reckoned to run from 1st July to 30th June inclusive.

13. The current year 1891-92 will be one of 15 months and close on 30th June 1892. All Heads of Departments may be requested to submit Supplemental Budgets for the month of April, May and June 1892 and revised Budgets for the year ending 30th June 1893.

14. The immediate effect of the change will be a nominal diminution of Rs. 20,23,000 in the cash balance of the Province as the receipts to be added to the Revenue year on account of April, May and June amount to Rs. 31,9,000 while the expenditure on account of those months amounts to Rs. 23,42,000. But if the Financial year is retained, the nominal diminution of the cash balance will be still larger as the annual instalments transferred to the following official year amount to Rs. 38,60,000.

15. In framing Supplemental Budgets for the months of April, May and June, the ordinary expenditure should be distinguished from the extraordinary expenditure on account of bad seasons and in the Budget for the year ending 30th June 1893, consideration should be paid to the realizable arrear demand that may be outsanding on 1st July 1892.

16. The change in the year will not interfere with the existing stipulations entered into with any contractors, or public or private bodies. They will be enforced as if there had been no change in the year.

17. In the Mysore Land Revenue Code of 1888, the words "Revenue year," so far as they have been used in the Regulation, are defined to mean the period running from and exclusive of 31st March of one calendar year until and inclusive of the 31st March in the next calendar year. This definition in no way affects the decision arrived at by Government for closing the Revenue and Financial year on 30th June. The Code gives ample power to Government to fix the khistbandi as they please and there is no prohibition in the Regulation against the closing of Government accounts on any date they may determine. It may however be convenient to define the year for the purpose of Regulation also as one ending 30th June and this matter may be separately disposed of. Meanwhile in Rule 26 of the Land Revenue Rules, the words "the 31st July occurring within the period for which the Patta is issued and for which the relinquishment is intended" may be substituted for "the 30th April of the official year for which the relinquishment is intended."

18. Para 15 of Rule XXVI of the Land Revenue Rules may be cancelled as unnecessary under the new arrangement.

READ ALSO :—

The following Notification No. 401, dated 12th January 1892.

In continuation of Notification Camp No. 334—92, dated 27th October 1891, directing an alteration of the khists for the payment of Land Revenue, it is hereby ordered that all village accounts should hereafter begin on 1st July in any year and on 30th June in the following year.

2. The current Revenue year's Village accounts should include the period from 1st April 1891 to 30th June 1892.

1892.

# GOVERNMENT OF MYSORE.

## REVENUE.

## PROCEEDINGS.

Dated 23rd May 1892

No. 3211-50.
Cir. 36.

Directing that from 1st July 1892 the Official and Revenue year should be reckoned to run from 1st July to 30th June both dates inclusive, and issuing further instructions on the subject with reference to the preparation of Budgets.

Mysore Govt. C. Press, Bangalore.—21-6-92.—200.

*Proceedings of the Government of His Highness the Maharaja of Mysore, (Revenue),—dated 23rd May 1892.*

No. 3211-50—CIR. 36, DATED BANGALORE, 23RD MAY 1892.

ORDER THEREON.—After careful consideration, the Government of His Highness the Maharaja are of opinion that the balance of advantage is distinctly in favor of adopting the same year for Revenue and Financial purposes and they accordingly resolve that, from 1st July 1892, the Official and Revenue year should be reckoned to run from 1st July to 30th June, both dates inclusive. A notification will be issued accordingly.

2. The current year 1891-92 will be one of 15 months and close on 30th June 1892. All Heads of Departments are requested to submit Supplemental Budgets for the months of April, May and June 1892 and revised Budgets for the year ending 30th June 1893.

3. In framing Supplemental Budgets for the months of April, May and June 1892, the ordinary expenditure should be distinguished from the extraordinary expenditure on account of bad seasons, and in preparing the Budget for the year ending 30th June 1893, consideration should be paid to the realizable arrear demand that may be outstanding on the 1st July 1892.

4. The change in the year will not interfere with the existing stipulations entered into with any contractors or public or private bodies, which will all be enforced as if there had been no change in the year.

5. The needful action will be immediately taken in the Legislative Department for amending the Mysore Land Revenue Regulation by making the "Revenue year*" to mean the period from and exclusive of 30th June in one calendar year to and inclusive of 30th June in the next calendar year and to include Revenue year 1891-92 consist of 15 months from 1st April 1891 to 30th June 1892, both days inclusive. After alteration of the definition of "Revenue year" as above, para 1 of Section XXVI of the Land Revenue Rules should be altered as follows:—

"Notice of absolute relinquishment in any District shall be given before the 30th April of the current Revenue year, from the close of which the relinquishment is to have effect."

And para 15 of the same Section should be omitted as no longer necessary.

* *Vide* Section 3, Clause 21.

T. ANANDA ROW,
*Chief Secretary.*

To—The Legislative Secretary, Mysore Government.
The Comptroller, Mysore Government.
The Deputy Commissioners of Districts and Heads of Departments.

Exd.—B.G.R.

(23)

Land Revenue Code and the word "land" is explained in section 3 (3), and Sec. 219 of the same Code. A site in a town which is permanently attached to (e.g. a house) would come under the definition of land - Sec. 48 cl. (e) may also be referred to.

If the above view is correct the holder of a site with a house thereon comes under the definition of "occupant".

The explanation of cl. (21) of the Constitution may be considered in regard to the definition of "Land" or of "Land Revenue". Register No 13 is one of the things covenants referred to therein and therefore Notice in Collusion 3 thereof may be said to be such as is referred to in para 2 of Sec. 112 of the Land Rev. Code.

In this view the case seems to be a Council case.

31/5

If any case may be submitted to the Dewan. Mad 31/5/95

Seal Mar 1/6/95

3

Draft and proposal—

Orders solicited:—

(1) whether this may be issued without intimation to the Union or other Councils,

(2) whether this may be printed

The 1st Committee has moved—"The Rule giving this extension to registers of Voters—Can Land Revenue Department create title to Votes by Registry?"

The Hon'ble Mr. Fawcett the hon. mover of the motion stated the Rule did not imply that in calling in the Registers, that he wanted to dispose of the question independently of that Rule

BR
-29/5

Issue a commil
case.

30/5

Submitted

This may be regarded as pending under cl. (5) or cl. (2) of the said Rules.

The Khasi Census Register, No. XIII is one of the "village Registers" referred to in cl. (5). The expression "Land Revenue" in that clause is defined in Section 219 of the

rules and although it

(9) does not apply in express terms to Mohatuta registers, yet in the absence of other rules directly bearing on the point, the procedure indicated in the said rule may be adopted for deciding the petitioner's application for the transfer of registry. The Deputy Commr. to whom the record will be returned will be directed to deal with this application in accordance with these observations

Draft.
(Rev: Council order)

Under Secretary

To 29/5

The Deputy Commr.
Irrawaddy Division

P.S.

(15)

Iwd. add to XXVI a clause as follows:—

16. For purpose of transfer of names in Col 3. of Mohatarfa Regr. Form 13 Appendix A, ~~A~~ Rules XXIV & XXV and clauses 8, 9 & 10 of this Rule shall be "applicable in so far as they may be".

~~Draught for additional~~

~~So far as they may be~~

Some such rule is necessary ~~[illegible]~~ ~~[illegible]~~ ~~Consent at any meeting~~ —) hope that the men's which levy Mohatarfa under the Mohatarfa system of taxn. Keep the same Regr. To prevent doubt they shd. be instructed to do so —

Sd/-

Subd. to the Rev. Councillor. 24/6

To the Councillor Returned

Issue a rule with the words of the Dewan at once — As we arranged this need go before the council if the Dewan has no objection, agree — The day can then be referred to this & to dispose [illegible] without [illegible]

*From*

*To*

*Dated*

*Despatched*

*Received*

*Enclosures No.*

*General No.*

*No.*

Read:—

Petition No 1522 dated 28-11-94 from Balagan Ariyapa & Dharmagara appealing against the deputy Commr's order declining to register in ~~the petitioner's name~~ building site No 69 at Kapalur in Pet's name.

Also letter No 754 of 11-3-95 from the Deputy Commr's Secretary reporting on the above.

Order thereon.

The Register in which the entry sought to be transferred finds a place is No 13 of the accounts prescribed by Rule 5 of the Rules published under the Land Rev. Code. No doubt the word "occupant" is used only in the Ryotwar Patta as contradistinguished from the account No 13, in column 3 of which the words "Names of Ryots" are inserted. But there seems to be no objection to dispose of Mofussil matters in accordance with the Land Revenue Rules so far as they are applicable.

Rule X/XVI - 8 is one of such

(13)

to buildings as well as to other lands. The framers of the Rules under the Regulation do not seem to have had any intention to exclude buildings from the operation of those Rules.

3 - If Rules XXIV, XXV and XXVI should be held to be inapplicable to buildings in the absence of a special clause, I submit that Rules 32, 33, 34, 35, 37, 38, 40, 41, 43 & 44 would likewise require an additional clause in order to warrant the provisions thereof being applied to buildings.

4 - No title is created by Rules XXIV, XXV & XXVI either to buildings or to lands of any other description - The object of these Rules is simply to determine the name of the occupant for purposes of registry in the Revenue accounts.

This is wrong

Mr Commissioner
note

(14)

5. Under these circum-
-stances, it seems
sufficient if the Dy
Comr of Lucknow is
told that the case
which has given rise
to the present reference
should be enquired
into and disposed of
under the new Rules
which ably, as far
as they may be, to
Huntings as well as
to lands alienated
for agriculture - it
makes no difference
whether huntings
are actually in them
capacities other than
Bungalows &c. or in the usual parts
of the Province.
Instructions may
be given to those
Municipalities according
to the words of the
Decree.

C.

7-7-95

In the case
reference
a Rule, &
another
it may be
house - th
the Superint
deals with
horses, mi
lands in
reference to
any proh
questions
as the premi
may arise
A rule as
proposed
the Deputy
is necessa
it may be
saved

W

7/8/95

Copies of the Rule & these
accordingly & the
transfer the file
Asst Lt for opinion
for opinion
Lt
Collector

Submitted to the 2nd Council

In my humble opinion this matter seems to require reconsideration. Rules XXIV, XXV & XXVI do not appear to have been framed for the purpose of giving effect to sections 208(1) of the Land Revenue Regulation. The words used in these sections are "occupant" and "right of occupancy". These expressions are defined in clauses (16) & (17) of Section 3. Their applicability to buildings depends upon the meaning of the word "Land" which latter has been defined in clause (3) of the same section. I may also refer to the definition of "Land" and "Land Revenue" given in section 219. Please also see section 48(c). It appears to me that the words "Land" and "Land Revenue"

as used in the Regulation

are sufficiently comprehensive to include buildings and the revenue or valuation for rating purposes. If this view is correct "occupant" and "right of occupancy" must also be held to include buildings. The rules above referred to would therefore apply, as far as they may be, as well to buildings as to lands appropriated for purposes of agriculture. That being so, the addition proposed to be made to Rule XXVI seems unnecessary.

2. Charters V, VI & X of the Regulation seem to show that all descriptions of ~~cultivated~~ land are intended to come within their provisions. Charters XI, XII, XIII & XIV seem likewise to apply

8

## CHIEF SECRETARY'S OFFICE.

## REVENUE BRANCH.

SUBJECT.

LAST REFERENCE.

Vide Bangalore Dy Commrs 27/11/95
No: 349 dt 12-10-95 S. No (1/2)

Vide this office No: 2464-70 dt 30-11-95.
R1744

Submitted
With the refs cqd
27/11/96

By order dt 9-8-95 para 15 was cancelled making paras 8 of Rule XXVI obsolete

### OFFICE NOTE.

Regarding the application of paras 2, 3, 4, 7, 23, 34 & 50 Rule XXVI (Principles governing grants of land & Rules to Mysore forfeiture proceedings.

Letter No. 350 dated 30th Nov 1895

from the Deputy Commr Kadur & Hassan

The question, being first ~~an application and moved~~ moved by the Deputy Commr of Bangalore, was referred to all the other Deputy Commissioners for favour of opinion. All of them are in favour of the paras in question being made

made applicable to
Mohalla's buildings, as
suggested by the Deputy
Commissioner of Bangalore.

The Deputy Commr.
of Tumkur in referring
to Sale Chief Commrs
Order No. 1592-Rev.
dated the 3rd May 1875
desires that the majority
noted proviso contained
in the last sentence of
para 2 of the above order
may be maintained
to enable the village
authorities to resist the
demand in cases of
death, desertion &c.

The Deputy Commr.
of Chitaldurg suggests the

Vide Tumkur Dy Commrs No 43 R/3-1-95

Copy put up

" Permission to present a
" representation from ignorance
" or other cause cannot
" necessarily also preclude
" rejection of the demand
" where this may be found
" reasonable and just.

Vide Chitaldurg Dy Commrs No 1 R/3-1-95

9

advisibility of including
oil-mills and dooms in
the proposed Manufa
buildings

Submitted for orders

H
6/12/95

Draft sent for
Colonial Office
24-2-96

Draft sent for
Colonial Office
14-2-96

Draft Proclamation
Fiji Islands
Pacific Islands

Minute No
Colonial Office
Downing Street
19/2/96

Minute No
et Colonial Office
Downing Street
Sir H. Blake
Fiji Islands
Pacific Islands

and just.

3. The application of the existing system to the pages of the card last may be deferred for the present.

Sd. J. Clarke
Secretary.

"Copy."

Copied
June

No. 5792 — Rev. 2 dated 3rd May, 5-4-5.

Order thereon. — Having received the reports of the Commissioners of the Kandy drug and Ceylon Divisions, the Chief Commissioner considers that the practice of requiring mohatirja, hayers to submit, rajinamas, as in the case of Govt., rayats, at the usual time, may be made general throughout the Province.

2. It should however be made clear that the presentation of rajinamas will not supersede the necessity of enquiring at the time of the Jamabandi in order to prevent fraud where the occupation may have been resumed subsequently. The omission to present a rajinama from ignorance or other cause should not necessarily also preclude remission of the demand where this may be found reasonable

Draft for approval

(541)

Revenue

No. 165a / R628 dated 9th August 1935.

Government direct that the following be added as para 15 to Section XXVI of the Rules under the Land Revenue Code:-

15. For purpose of transfers of names in Column 3 of Mutation Register, Form 13 Appendix A, Rules XXIV and XXV and clauses 8, 9 and 10 of this Rule shall be applicable in so far as they may be

By order

Q
9-8-935

Revenue Secretary

VI
9/8/935

The Compiler Survey Gazette for publication in para I of the Gazette.

Draft as here written

Gen. 30]

From 2 Nov 95 189 463

The Revenue Secretary to the
Govt. of Mysore.

To

(24) The Dy Commissioner
Bangalore District.

Dated 6th November 1895.

Despatched //

Received ✓

General No. 4463

No. R. 1743

Enclosure No.

His No 349 of the 12th Oct/95
stating that the No of para
to be added to Rule XXVI
of the Revenue Rules, as per
Notification No 1689 dated
R 628
9th August 1895 is 16 and
not 15 as therein mentioned

---

In reply, refers the Dy
Commissioner to Govt
Pro: No 3211—50 dated 23rd
Cir 36
May 1892 in which ~~two forms~~
para 15 of Rule XXVI was directed
to be omitted, and states that
the para as at present numbered
is correct. Orders, Boyd.

HB 6/11/95 Rev Sec

the other suggestion
of the Dy Nel Dy
has been
issued for 6/11/95
observation

Rec'd 5.10.95

Petition No.

Please furnish Govt Notn No 1689 R 628 dt 9.8.95 cancelling Govt Notn No 1657 R 628 dt 9.8.95 and issue Govt Notn as in 1st Draft

31/10/95

Draft Approved

In the 2nd line of the Govt Notn for the word "para" 15" may be substituted "Rule 16" and the Govt Notn may be issued in the 1st draft

16.9.95.

Sd/ 31/10

Extract from the Gazette Notification.

Put up a copy of Rev. Dept. 3211-95 dt 23.5.95 - 4 sheets

30/10

Please put up a copy of the above

V. Rem.

Put up copy of Rev Dept No 3211-95 dt 23.5.95

31/10/95.

Printed spare copy put up.

31/10

31/10/95.

Gen. Serial No. 34

REVENUE DEPARTMENT
Gl. No. 3123
R. No. 1986
1895 Oct 16 95
SECRETARIAT OFFICE

From The Dy Commissioner
Bangalore District.

To
The Secretary to the Govt
of Mysore.

Dated 12th October 1895.
Despatched 15-10-95
Received

Enclosures—No.

General No.
No. 349.

The Government Notification No. 1689 dated 9th August 1895, R. 628 adding a rule, as para 15, to Section 26 of the Rules under the Land Revenue Code.

Has the honor to state that the No of the para to be added should be 16 and not 15, as the last para of the Section alluded to is 15 at present. Begs to suggest that paras 1, 2, 3, 4, 7, 12, 13 and 14

515

Gen. 31

REVENUE DEPARTMENT
Gl. No. 3867
No. 2535
24 NOV. 95
DEWAN'S OFFICE.

4

From The Dy Commissioner
Mysore District

To The Rev: Secy to the
(96) Govt of Mysore

Dated 12th November 1895.

Despatched

Received

General No. 592
No.

Enclosure No.

Submits opinion about making certain paras of the Revenue rules applicable to Mohatarfa paying buildings

Rev
Supt - Collect
Submit
with refs
21
14/11/95

No. 592

Deputy Commissioner's Office,
Mysore District,
Dated Mysore 12th November 1895.

To,
The Revenue Secretary to the
Government of Mysore

Sir,

With reference to Government order No 4464-70 / R 1744 dated the 6th November 1895, calling for opinion about making paras 1, 2, 3, 4, 7, 12, 13 and 14 of Rule XXVI of the Revenue rules applicable to Mohaturfa paying buildings, I have the honor to state that it is good to make them so applicable.—

I have the honor to be,
Sir,
Your most obedt. Servt.,

Dy Commissioner
Mysore District

MM

may be made applicable
to Motor Surface paying buildings.

K Leandy

For Dy Commissioner.

AR

514

Draft as Amended

2 Drafts

Read:—

Draft No 3 dated 26th October 1895 from the Deputy Commissioner of the Bangalore District suggesting that, items 1, 2, 3, 4, 7, 12, 13 and 14 of Rule XXII of the Revenue Rules may be made applicable to Mudimanes receiving Inams

Ordered:—

Communicated to the Deputy Commissioners of the Districts for opinion

6/11/1895

Revised

5/11/95

Secretary of Board of Revenue

No 4464-70 / R 1744 26.11.95 / 11

Gen. 31.]

REVENUE DEPARTMENT
1 NOV. 95
DEWAN'S OFFICE

From

The Deputy Commissioner
Tumkur District.

To

The Revenue Secretary
to the Govt. of Mysore

Dated 13th November 1895.

Despatched 14th —do—

Received

General No. 4131
No.

Enclosures No.

Govt. Letter No 4454-70 dt. 6th November 1895. R. 1-44

Furnishes opinion on the Suggestion of the Deputy Commissioner of Bangalore that certain paras of Revenue Rules may be made applicable to Mohaturfa paying buildings.

Rep: Collector
Dtd 15/11/95

547

Gen. Serial No. 31.]

REVENUE DEPARTMENT
Cl. No. 3968
R. 2/632
18 NOV. 95
1893
DEWAN'S OFFICE

(31) *From* The Deputy Commr
Shimoga dt.

*To* Revenue
The Secretary to the Government
~~Dewan~~ of Mysore.

*Dated* 15th November
*Despatched*
*Received*

*Enclosures—No.*

*General No.* 547
*No.* 348

With reference to
Govt. Pro: No. 4464-70
R 1744
dated 6th Instant
submits opinion
on the applicability
of certain paras
under Rule XXVII of
the Revenue Rules
to Inchabutta buy-
ing buildings.

Rep-- Collect & Sub-- & Govt

1695

From

The Deputy Commissioner
Shimoga District.

(32)

To The Revenue Secretary
to the Govt. of Mysore

Dated 15th
Recd. 17th } May

No. 547 Rev: Dep.
548

Govt. Pros: Dep. 4464-70 dt
& 1744
6th Instant requesting
opinion on the suggestion
of the Deputy Commissioner
Bangalore whether certain
paras under Rule XXVI
of the Revenue Rules can
be made applicable to
Inchatra & praying [illegible]

With reference to the

60431.

Tumkur District
Deputy Commissioner's Office
Tumkur 13th November 1895

To.

The Revenue Secretary to the
Government of Mysore.

Sir,

With reference to Government Proceedings No: 44464-70 / R. 1744 of 6th November 1895, calling for opinion on the Suggestion of the Deputy Commissioner of Bangalore that paras 1, 2, 3, 4, 7, 12, 13 and 14 of Rule XXVI of the Revenue Rules may be made applicable to Mohalladfa paying buildings, I beg to state that they may be made applicable to Mohalladfa paying buildings with the necessary alterations in the forms prescribed therefor.

2. The late Chief Commissioner's order No: 1592 - Rev: 12 dated 31st May 1878 published at page 125 of the Revenue

Revenue Manual 1856, which regulates the course of present procedure on the Subject provides that the omission to present a Mohaturfa Razinama from ignorance or other cause should not necessarily also preclude remission of the demand where this may be found reasonable and just. It is desirable that this proviso should be maintained to enable the Village authorities to remit the demand in cases of death, desertion &c.

3. Paras 8, 9 and 10 of Rule XXVI have already been made applicable to Mohaturfa buildings by Notification No: 1689 R - 628 dated 9th August 1895.

I have the honor to be
Sir,
Your most obedient Servant

M. Narain Rao

Offg: Deputy Commr:
Tumkur.

E.V.

Above ~~has~~ the honor to state that the system of registration and transfers of titles in the case of shops and houses paying Enrolmentfee on principles underlying the Rules in question, is already in force. There can be no objection to adding them to the Enrolment Rules.

2. The forms prescribed in Rules 2 and 3 require some modifications in the case of Enrolment Registrations. The word House or Shop should be substituted for the word land. In many cases the Relinquisher is the holder of the shop,

219

No. 463
Reg.

Dy Commissioner's Office
Hassan Dt. Nov.

Dated. Hassan, 17th November 19

From,

(36)

A. Krishnaswamiengar Esqre
Dy. Commissioner,
Hassan Dt.

To,

The Revenue Secretary
to the Government of Mysore
Bangalore.

Sir,

Adverting to Government Proceedings No. 4464-70 R. 1744 of the 6th instant, calling for my opinion on the applicability of para 1, 3, 4, 7, 12, 13 and 14 of Rule XXVI of the Revenue Rules to Mohatarfa property buildings, I have the honor to state that the Rules therein referred to may be made applicable to the buildings in question.—

I have the honor to be,
Sir,
Your most obedient servant
Krishnaswamy
Dept. Commissioner
Hassan Dt.

519

Gen. Serial No. 1089

REVENUE DEPARTMENT
No. 4080
R 2720
22 NOV. 95
DEWAN'S OFFICE.
1895

8

(37)

*From*

The Secretary to the Government of Mysore

*To* Revenue

*The ~~Chief~~ Secretary to the Government ~~Dewan~~ of Mysore.*

*Dated* 19 November 18

*Despatched* 19

*Received*

*Enclosures No.*

*General No.* 463

*No.* 2223

*In reply to* R.O. 4464-70 & 6 June R 1744

SUBJECT.

Submitting opinion in regard to the abo- bility of certain pa of Rule XXVI of the Rules, called fr.

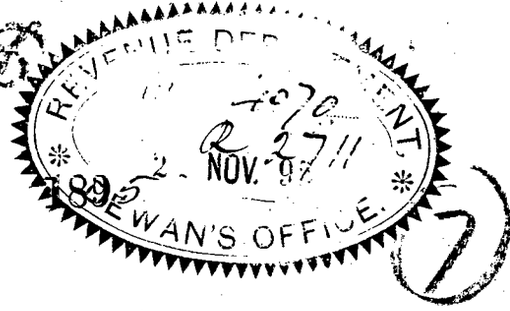
Ker Collect 2 Nov Kup: under R 27/10

*References*—(to be entered only in the Dewan's Office).

while the building in which the shop is held belongs to another, who has rented it to the farmer. In such cases there should be a distinct mention of the right or interest relinquished to prevent litigation. The column 4 of the schedule headed "Survey No." should also be altered into "Census No." The column 7 headed "Dry, Wet and Garden" is unnecessary. The last columns of column 4 may be utilized for showing extent of House or Shop and value.

A Ranganna
Deputy Commr.

Gen. 31.]




Rec.
Kulp: Gleet & Pat.
Mut 2 = 11.95

From The Revenue Commissioner
Chitaldroog District

To Revenue
The Secretary to the Government
Person of Mysore.

Dated 13th September 1895.

Despatched

Received

General No. 432-
No. 232-

Enclosure No. —

With reference to proceedings of Govt. No. 24464-70 dated 6th Instant, regarding the proposal of the Revenue Commissioner Kolar regarding to make certain changes of Rule XXII under the Land Revenue Code applicable to Inamdars paying buildings, has the honor to state that the proposal may be adopted with advantage.

2. The undersigned believes that the mills and looms are included in this proposal, but if they are not they should be included.

Revenue Commissioner

Revenue Commissioner
Chitaldroog
bs.

(10) (9)

2. This order which does not seem to have been superseded, may if necessary, be amplified by making the paras embodied in Section XXVI of the Revenue Rules applicable to such cases as suggested by the Bangalore Deputy Commissioner.

I have the honor to be,
Sir,
Your most obedient servant
[illegible]
Deputy Commissioner
Kolar District.

CAK

Gen. 31.] 210

189

REVENUE DEPARTMENT
Gl. No. 4
No. 2799
27 NOV. 95
DEWAN'S OFFICE

From The Deputy Commissioner,
Kolar district

To
The Secretary to the
Government of Mysore.
Revenue

Dated 25th November 1895

Despatched 26

Received

General No. 1965

No. 576

Enclosures No.

Submitting opinion on the suggestion of making paras 1, 2, 3, 4, 7, 12, 38, 1/2 of Rule XII of the Revenue Rules applicable to Mohatsa paying Inamdars.

Rev
Kulf - are Nos
Letter Group
27/11/95

Kolar Deputy Commissioner's
Office
Dated 25th November 95
Camp, Bowringpet.

To.

The Revenue Secretary to the
Government of Mysore.

Sir,

With reference to Government Proceedings No. 4464-70/R 1744 dated 6th instant communicating for opinion the Bangalore Deputy Commissioners Suggestions that paras 1. 2. 3. 4. 7. 12. 13 and 14 of Rule XXVII of the Revenue Rules may be made applicable to Mohatarfa Payaing Buildings. I have the honor to State that the existing rule on the subject is contained in the Chief Commissioners order No. 1592-Rev/2 dated 31st May 1878 according to which Mohatarfa payers are required to submit rajinamas as in the case of Government ryots, at the usual time.

2. This

Gen. Serial No. [illegible]

REVENUE DEPARTMENT
Gl. No. [illegible]
R No. 2509
1895 DEC. 95
DRAWING OFFICE

From The Deputy Commissioner
Excise Division

To The Revenue Secretary to
the Government of
Mysore.

Dated Camp Bagepalli 8/12/95

Despatched 8th December 1895

Received

– Enclosures No.

General No. 3809 Despatch.
No.

Stating that pleas, S.R.O.
No. 12, 1887 in Rule XVII of
the Revenue Rules may be
dealt departmentally & the Excise
Enquiry Inspectors be
appointed by the Deputy Commis-
sioner of Bangalore.

Rev
Are the replies
complete?
Refer
21/12/95

Submitted with Appendix
dum
7/1/96

Read
3/1/96

Deputy Commissioner's Office
Ma du District
Camp Kingaidaili 27th November 17

From
The Deputy Commissioner
Ma du District

To
The Revenue Secretary to the
Government of Rhyana

Sir
In reply to Government No. -
reading No 1744/R dated 15th instant
communicating to the Deputy Commissioner
of other Districts for opinion
the Baingabad Deputy Commissioner's
suggestion that clause 1, 2, 3, 4, 7, 12, 13 and
14 of Rule XVI of Revenue Rules
may be made applicable to the Ma
kingja praying buildings, I have the
honor to state that I am of opinion
that the clause of the Rule quoted
should be made applicable to Ma
kingja praying buildings as suggested.
I have the honor to be
Sir
Your most obedt servant
Illegible
Deputy Commissioner
Ma du District

Sam.

Draft reply by Govt

SLP 11

Read:—

Docket from the Dy Commr, Bangalore Distt No 349 & 12th October 95, Suggesting, with reference to Govt Notfn No 1689 & E 628 9th August 1895, the applicability of paras 1, 2, 3, 4, 7, 12, 13 and 14 of Rule XXVI of the Land Revenue Rules to Mahatarpa paying buildings.

Also:- The following letters from the Dy Commrs of [illegible] districts offering their opinions in favour of the proposal.

| No | Date | From |
|---|---|---|
| 1965 | 25/11/95 | the Dy Commr Kolar |
| 431 | 13/11/95 | " " Tumkur |
| 592 | 12/11/95 | " " Mysore |
| 463 | 19-11-95 | " " Hassan |
| 547 | 15-11-95 | " " Shimoga |
| 380 | 30-11-95 | " " Kadur |
| 402/232 | 18-11-95 | " " Chitaldrug |

No 3682-85 & 21.3.96.
R.T. 6.2.95.

Order thereon:—

Govt approve of the Suggestion made by

~~Excepting~~, para 15 of the Rule XXVI of the Land Rev Rules, as substituted by Notfn: No. 1689 & 9th Aug: 1895, ~~No~~ R. 628 amended as follows:—

Between the word "clauses" and the figure "8", insert "1, 2, 3, 4, 7", and after the figure "10" insert "12, 13 and 14", and omit the word "and" connecting the figures 9 and 10.

2. The para thus amended will read as follows:—

* * *

Cl. 24/2/96.
~~Dar~~ Secretary

JH
20/2/96

Mr. Dy. Commrs Districts.
Heads of Depts &c.

To The Compiler.
with copy of the Notfn only.

Mohamed
for Secretary
21-3-96

* *
Para 15.

For purposes of transfer of names in col: 3 of Alienation Register Form 3, Appendix A, Rules XXII & XXV and Clauses 1, 2, 3, 4, 7, 8, 9, 10, 12, 13 & 14 of the Rule should be utilised in so far as they may be.

Cl. 25/2/96

Red pencil
alterations should
be noted or a
separate form
adopted in
file — new
pencil corrections
will not be
necessary —

by the Dy. Commr of Bangalore (and of Kolar) enacting para 15 of Rule XXVI of the L.R. Rules will accordingly be published in the Gazette.

and concurred in by the other Dy. Commrs. is directed that paras 1, 2, 3, 4, 7, 12, 13 & 14 of Rule XXVI of the Revenue Rules shall apply to the Maintenance buying buildings.

2. The ~~Govt. observe that~~ the extension of the Rules referred to the Maharanpa paying buildings does not however preclude the village and other officials from making proper enquiry into the birth or otherwise of absolute relinquishments, or the Jamabandy officers from granting remissions even without Rayeenamas in hand cases.

Notification

No 4 8685-87-69-35 dt 21.3.36

Govt of Mysore are pleased to direct that the figures

*Proceedings of the Government of Mysore, Revenue, dated 21st March 1896.*

READ :—

Docket from the Deputy Commissioner, Bangalore District, No. 349, dated 12th October 1895, suggesting, with reference to Government Notification No. 1689—R. 628, dated 9th August 1895, that paras 1, 2, 3, 4, 7, 12, 13 and 14 of Rule XXVI of the Land Revenue Rules be made applicable to Mohatarfa paying buildings.

ALSO :—

The following letters from the Deputy Commissioners of other Districts :—

| No. | Date. | From. |
|---|---|---|
| 1965 | 25th November 1895 | The Deputy Commissioner, Kolar. |
| 431 | 13th November 1895 | Ditto Tumkur. |
| 592 | 12th November 1895 | Ditto Mysore. |
| 463 | 19th November 1895 | Ditto Hassan. |
| 547 | 15th November 1895 | Ditto Shimoga. |
| 380 | 30th November 1895 | Ditto Kadur. |
| 403/232 | 18th November 1895 | Ditto Chitaldrug. |

No. 8652-84—R. F. 69-95, DATED, BANGALORE, 21ST MARCH 1896.

ORDER THEREON.—Government approve of the suggestion made by the Deputy Commissioner of Bangalore and concurred in by the other Deputy Commissioners, and are pleased to direct that paras 1, 2, 3, 4, 7, 12, 13 and 14 of Rule XXVI of the Revenue Rules shall apply to Mohatarfa paying buildings. A Notification amending para 15 of Rule XXVI of the Land Revenue Rules will accordingly be published in the Gazette.

It should be distinctly understood that this extension does not relieve the village and other officials of their duty of making a proper enquiry into the truth or otherwise of absolute relinquishments, nor does it preclude Jamabandi Officers from granting reasonable and just remissions in special cases even in the absence of a Razinama.

C. SREENIVASIENGAR,
*Secy. to Govt., Genl. and Rev. Depts.*

To—The Deputy Commissioners of Districts.
The Heads of Departments.

NOTIFICATION.

No. 8685—R. F. 69-95, DATED, 21st MARCH 1896.

The Government of Mysore are pleased to direct that para 15 of Rule XXVI of the Land Revenue Rules, as substituted by Notification No. 1689—R. 625, dated 9th August 1895, be amended as follows :—

Between the word "clauses" and the figure "8", insert "1, 2, 3, 4, 7," and after the figure "10," insert "12, 13 and 14," and omit the word "and" connecting the figures 9 and 10.

2. The para thus amended will read as follows :—

*Para* 15.—For purposes of transfers of names in column 3 of Mohatarfa Register, Form 13, Appendix A, Rules XXIV and XXV and clauses 1, 2, 3, 4, 7, 8, 9, 10, 12, 13 and 14 of this Rule shall be applicable in so far as they may be.

By Order,

C. SREENIVASIENGAR,
*Secy. to Govt., Genl. and Rev. Depts.*

Exd.—B.K.

1895-96

# GOVERNMENT OF MYSORE

REVENUE

PROCEEDINGS

*Dated* 21*st March* 1896

No. 8652-84
R. F. 69-95

Directing that paras 1, 2, 3, 4, 7, 12, 13 and 14 of Rule XXVI of the Revenue Rules shall apply to Mohatarfa paying buildings, and that a Notification amending para 15 of the above Rule be published in the Gazette.

M.G.C.P.B.—2-4-96—250